

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
NEWNAN DIVISION

IN RE: )  
 )  
ASHLEY REAGAN APRIL FLORENCE ) CHAPTER 13  
 )  
 ) CASE NO.: 18-10982-WHD  
DEBTOR. )

**MOTION TO DISMISS**

Melissa J. Davey, Trustee in the above styled matter, respectfully shows the Court as follows:

1. Pursuant to Debtor Chapter 13 Plan confirmed on August 09, 2018, Debtor is required to make payments in the amount of \$1,450.00 to the Trustee.

2. Debtor has failed to make the payments due under the Plan. The total amount due under the Plan is \$26,876.17. Debtor has only paid a total of \$23,976.17, resulting in a delinquency in the amount of \$2,900.00 in violation of 11 U.S.C. §§1307(c)(1) and 1307(c)(6).

Wherefore, Trustee respectfully requests that this case be dismissed pursuant to 11 U.S.C. §1307(c).

Dated: December 06, 2019

Prepared and Presented by:

/s/

Jason L. Rogers  
Attorney for Chapter 13 Trustee  
GA Bar No. 142575  
260 Peachtree Street, NW, Suite 200  
Atlanta, GA 30303  
(678) 510-1444 Phone  
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**NOTICE OF HEARING ON MOTION TO DISMISS**

**PLEASE TAKE NOTICE** that Melissa J. Davey, Standing Chapter 13 Trustee, has filed a Motion to Dismiss and related papers with the Court.

**PLEASE TAKE FURTHER NOTICE** that the Court will hold a hearing on the Motion to Dismiss in **at the U.S Courthouse, 2nd Courtroom, 18 Greenville Street, Newnan, GA 30263 at 9:15 AM on January 09, 2020.**

Your rights may be affected by the Court's ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want to Court to grant the relief sought in these pleadings or if you want the Court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the pleading with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how, and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least two business days before the hearing. The address of the **Clerk's Office** is **18 Greenville Street, 2nd Floor, Newnan, GA 30263**. You may also mail a copy of your response to the undersigned at the address stated below.

Dated: December 06, 2019

Prepared and Presented by:

/s/

Jason L. Rogers  
Attorney for Chapter 13 Trustee  
GA Bar No. 142575  
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**CERTIFICATE OF SERVICE**

This is to certify that I have on this day electronically filed the foregoing Motion to Dismiss together with the Notice of Hearing on the Motion to Dismiss using the Bankruptcy Court's Electronic Case Filing program, which sends a notice of this document and an accompanying link to this document to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing program:

Amanda A Barrett mandyabarrett@gmail.com, Amanda@harmonandgorove.com  
Michael A. Gorove mandyabarrett@gmail.com, harmon.gorove@gmail.com

I further certify that on this day I caused a copy of this document to be served via United States First Class Mail with adequate postage prepaid on the following parties set forth below at the address shown for each.

DEBTOR(S):

ASHLEY REAGAN APRIL FLORENCE  
12 RAY WAY  
GRANTVILLE, GA 30220

Dated: December 06, 2019

Prepared and Presented by:

/s/ \_\_\_\_\_  
Jason L. Rogers  
Attorney for Chapter 13 Trustee  
GA Bar No. 142575  
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